

Respecting and Protecting the Rights of All Ethnic Groups in Xinjiang

新疆各民族平等权利的保障

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Preface

Full realization of human rights is one of the great dreams of all humanity, and a goal to which the people of China, including those of the ethnic groups in Xinjiang, have long aspired.

Xinjiang has been home to numerous ethnic groups since remote antiquity, and all the groups in the region are closely related members of the broader family of the Chinese nation. In 60 BC, the Western Han Dynasty set up the Western Regions Frontier Command, and Xinjiang was formally incorporated into the territory of China, becoming an integral part of this unified multiethnic country.

Before the founding of the People's Republic of China (PRC) in 1949, the people of Xinjiang suffered oppression from invading imperialist forces, the feudal exploiting class and the privileged religious hierarchy. At the bottom of the social ladder, they were deprived of basic human rights.

In 1949, the Chinese people led by the Communist Party of China (CPC) overthrew the forces of imperialism, feudalism and bureaucrat-capitalism, and founded the PRC. The people of Xinjiang, together with the rest of the country, were liberated and became masters of their own country.

The PRC regards equality, unity and common prosperity for all ethnic groups as the basic requirements for managing ethnic affairs and handling ethnic relations. It established the system of regional ethnic autonomy in areas inhabited by ethnic minorities in compact communities. By 1954, Xinjiang had established five autonomous prefectures and six autonomous counties. In 1955, the Xinjiang Uygur Autonomous Region was founded. The establishment of these autonomous divisions effectively guaranteed the democratic rights of people in Xinjiang to be masters of their own affairs, and started a new era of socialist ethnic relations characterized by equality, unity, mutual assistance and harmony. Xinjiang ushered in a new stage of economic and social development, and better protection of human rights.

前言

人人充分享有人权，是人类社会的伟大梦想，也是包括新疆各族人民在内的全体中国人民长期追求、不懈奋斗的共同目标。

新疆自古以来就是多民族聚居地区，新疆各民族是中华民族大家庭血脉相连的家庭成员。公元前60年，西汉王朝中央政权设置西域都护府，新疆地区正式纳入中国版图，成为中国统一的多民族国家不可分割的组成部分。

新中国成立前，新疆各族人民历经磨难，深受帝国主义侵略势力、封建剥削阶级和宗教特权阶层的压迫，社会地位极其低下，无法享有基本人权。

1949年，中国共产党领导各族人民推翻了帝国主义、封建主义和官僚资本主义的统治，建立了中华人民共和国。新疆各族人民同全国人民一道翻身解放，共同当家做了主人。

新中国把坚持民族平等、民族团结和各民族共同繁荣发展作为解决民族问题和处理民族关系的基本原则，并确立在少数民族聚居地区实施民族区域自治制度。截至1954年，新疆成立了5个自治州、6个自治县。1955年，新疆维吾尔自治区成立。各自治地方的建立，有力保障了新疆各族人民当家作主的民主权利，开启了各民族平等团结互助和谐的社会主义民族关系新纪元，新疆经济社会发展进入新

For more than 70 years since 1949, the CPC and the Chinese government have upheld a people-centered approach to human rights protection, treating the rights to subsistence and development as the primary human rights. Integrating the principle of universal human rights with the country's realities, China has enriched its strategy for the governance of Xinjiang with the following guidelines: governing Xinjiang in accordance with the law, maintaining stability in the region through ethnic unity, nourishing the cultures of Xinjiang, promoting prosperity among the local population, and developing Xinjiang from a long-term perspective. In this process, China has given priority to securing and improving people's well-being, advanced various undertakings in Xinjiang, and shared the fruits of reform and development with people of all ethnic groups, so as to guarantee their equal rights to participation and development. Thanks to these efforts, human rights have made steady progress in Xinjiang.

I. Civil Rights

All ethnic groups of the People's Republic of China enjoy equality. All citizens, regardless of ethnicity, gender, occupation, level of education, and religious belief, share the civil rights prescribed by the Constitution and the law on an equal footing.

The right to life is guaranteed. The right to life is an inherent right of humanity, and no person can be arbitrarily deprived of this right. For some time, under the influence of the evolving international situation and the spread of terrorism and extremism around the world, terrorist forces at home and abroad claiming to represent "East Turkistan" have colluded to spread religious extremism behind the smokescreen of ethnicity and religion, taking advantage of people's ethnic and religious feelings. They have incited hatred and discrimination, advocated violence, and plotted and carried out thousands of terrorist acts, resulting in the deaths of large numbers of innocent people and hundreds of police officers. These acts have seriously endangered the lives of people of all ethnic groups in Xinjiang and trampled on human dignity.

In the face of such a severe and complex situation and the urgent need to combat terrorism, Xinjiang has promulgated two local regulations—the Measures on Implementing the Counter-Terrorism Law and the Regulations on Deradicalization. This has been done in full accordance with China's Constitution, Criminal Law, Criminal Procedure Law, National Security Law, and Counter-Terrorism Law, and by taking into account the actual conditions in the region. The purpose of the local regulations is to strike hard at terrorist activities that infringe upon human rights and endanger public security, and at illegal and criminal activities that make use of extremism to undermine the law.

Xinjiang attaches importance to preventing terrorism at its source. It has carried out preventive counter-terrorism measures, including the establishment of vocational education and training centers, to protect basic rights. For more than four years since the end of 2016 there has been no terrorist incident in Xinjiang. The infiltration of extremism has been effectively curbed, and the right to life of people of all ethnic groups has been fully protected.

Liberty is respected and protected. Liberty is the inviolable right of citizens to carry out whatever activities they wish within the confines of the law. Religious extremists regard those who do

the historical period, the level of human rights protection for all ethnic groups has been continuously improving.

70多年来, 中国共产党和中国政府始终坚持“以人民为中心”的人权理念, 始终把生存权、发展权作为首要的基本人权, 把人权的普遍性原则与中国实际相结合, 不断丰富和发展治疆方略, 坚持依法治疆、团结稳疆、文化润疆、富民兴疆、长期建疆, 坚持以保障和改善民生为重点, 大力发展各项事业, 共享改革发展成果, 切实保障各族人民平等参与、平等发展权利, 新疆人权事业不断得到新的发展和进步。

一、公民权利的保障

中华人民共和国各民族一律平等。公民不分民族、性别、职业、教育程度、宗教信仰, 都平等地享有宪法和法律规定的公民权利。

有效保障生命权。生命权是人的固有权利, 不得任意剥夺。一段时间里, 受国际形势变化和恐怖主义、极端主义全球蔓延影响, 境内外“东突”势力相互勾连, 打着民族、宗教幌子, 利用群众朴素的民族、宗教感情, 大肆散布宗教极端思想, 煽动民族仇恨和民族歧视, 鼓吹暴力, 策划实施了数千起暴力恐怖案(事)件, 造成大量无辜群众被害, 数百名人民警察殉职, 严重危害了新疆各族群众生命安全, 践踏了人类尊严。面对严峻复杂的反恐形势和各族群众打击暴恐的迫切要求, 新疆依据《中华人民共和国宪法》及《中华人民共和国刑法》《中华人民共和国刑事诉讼法》《中华人民共和国国家安全法》《中华人民共和国反恐怖主义法》等法律, 并结合本地区实际, 出台了《新疆维吾尔自治区实施〈中华人民共和国反恐怖主义法〉办法》《新疆维吾尔自治区去极端化条例》等地方性法规, 对一切侵犯公民人权、危害公共安全的暴力恐怖活动, 利用极端主义破坏法律实施的违法犯罪活动, 依法进行严厉打击。重视源头治理, 通过设立职业技能教育培训中心等方式, 开展预防性反恐, 最大限度保障公民基本人权免遭恐怖主义和极端主义侵害。2016年底以来, 新疆已连续四年多未发生暴力恐怖案(事)件, 极端主义渗透得到有效遏制, 各族群众生命权得到充分保障。

尊重保护自由权。自由权是公民在法律范围

not follow extremist practices as “infidels”. They insinuate religious extremism into people’s daily lives, inciting and forcing women to wear burqas and men to wear long beards in the name of religion. They try to persuade people not to watch TV, listen to the radio, read newspapers, cry at funerals, or laugh at weddings, and forbid them to sing and dance. They abuse the halal concept to interfere with daily routines and people’s right to choose their way of life.

To prevent the infringement of civil liberties, Xinjiang has taken resolute measures to combat extremism, in full accordance with the Constitution, laws and regulations. It has carried out publicity and education campaigns on the rule of law to safeguard the public’s right to personal liberty. Citizens, regardless of ethnicity and belief, are free to move, choose their own jobs, and lead the lives they choose as far as the law permits without external interference or constraint. At the same time, Xinjiang has made great efforts to operate radio and television stations, publish newspapers and magazines, and build internet infrastructure and various online platforms, so that citizens can enjoy their right to freedom of expression through smoother channels and in more diverse and convenient ways.

The right to a fair trial is well maintained. Impartiality is the lifeline of the rule of law. Xinjiang’s judicial organs pursue social fairness and justice, which are the values of the rule of law. They promote reform to establish a criminal litigation system centering on trials, fully protect the right to a fair trial at all stages from investigation to prosecution, trial, and enforcement of court rulings, and strive to ensure that all people, whatever their ethnic background, experience a sense of fairness and justice in every judicial case.

To provide the public with better access to litigation, the judicial authorities have set up 74 circuit courts, 103 Fengqiao-style [In the early 1960s, the officials and citizenry of Fengqiao Town in Zhejiang Province created the Fengqiao practice, which emphasized solving problems in situ rather than passing them up to higher authorities. The practice has developed over the intervening decades, and is now a model for promoting community-level governance and social harmony.] courts, and 1,645 service stations, circuit trial centers, and offices for case consultations with judges. The average trial period has been shortened by 21.6 days, and the rate of cases ended at first instance is 90.8 percent. In 2020, courts at various levels in Xinjiang heard 604,900 cases, and concluded 587,400 of them, with a settlement rate of 97.1 percent.

Technological tools such as mobile e-court, cloud court trial, and smart enforcement of court rulings are used to file cases online and across geographical boundaries, hold remote court sessions, and mediate online, so that people can engage in legal action without leaving their homes.

Xinjiang has also improved its judicial assistance system to ensure that people in need have access to judicial relief. Courts at all levels in Xinjiang handled and concluded 545 cases of state compensation and judicial relief, and deferred, reduced or exempted litigation costs to a value of RMB26.1 million for needy litigants. In order to fully protect the public’s right to information, they have established a platform for judicial openness to release timely information on the hearing of cases and enforcement of court rulings. They are also working to achieve full coverage of lawyers’ service in criminal cases to guarantee the right of defense

内，按照自己意愿进行活动的权利，不容侵犯。一个时期，宗教极端势力鼓吹把一切不遵循极端做法的人都视为“异教徒”，将宗教极端思想渗透到公民日常生活中，假借宗教名义，煽动、胁迫妇女穿戴蒙面罩袍、男人留大胡须；蛊惑群众不看电视、不听广播、不读报纸、葬礼不哭、婚礼不笑，禁止人们唱歌、跳舞；大搞“清真”概念泛化，借不“清真”之名排斥、干预人们正常生活，侵害公民生活方式的选择权。为有效防止侵犯公民自由权利现象的发生，新疆依据宪法和法律法规，采取果断措施，依法严厉打击极端主义，积极开展法治宣传和帮扶教育，切实维护公民人身自由权利。无论哪个民族，无论什么信仰，只要在法律允许范围内，公民都可以根据自己的意愿自由行动、自主择业、自在生活，去什么地方、做什么工作、过什么样的生活都不受他人干涉和限制。同时，新疆积极办好广播、电视、报纸、杂志，大力开展互联网基础设施建设，搭建各种网络平台，公民表达渠道更加通畅，表达方式更加多样，表达诉求更加便捷。

切实维护公正审判权。公正是法治的生命线。新疆司法机关牢牢把握社会公平正义这一法治价值追求，推进以审判为中心的诉讼制度改革，从侦查、起诉、审判、执行等各环节充分保障公民获得公正审判的权利，努力让各族群众在每一个司法案件中都感受到公平正义。坚持诉服为民，建成旅游巡回法庭74个，打造“枫桥式法庭”103个，设立法官工作室、便民服务站、巡回审判点等1645个。平均审理周期缩短21.6天，一审服判息诉率达90.79%以上。2020年，新疆各级法院共受理各类案件60.49万件，审结58.74万件，结案率97.11%。积极运用移动微法院、云间庭审、智慧执行等科技手段，开展网上立案、跨域立案、远程开庭、线上调解，群众足不出户就能打官司。不断完善司法救助制度，保障困难群众获得诉讼救济权利。办结国家赔偿与司法救助案件545件，为生活困难群众缓、减、免诉讼费用共计2606.11万元。建立司法公开平台，及时发布案件审理、执行信息，充分保障公民司法知情权。积极开展刑事案件律师辩护全覆盖工作。依法保障犯罪嫌疑人、被告人的辩护权。